

IN THE UNITED STATES DISTRICT COURT FOR  
THE MIDDLE DISTRICT OF ALABAMA  
EASTERN DIVISION

EMMA GIACOMO, by and through her	)	
son and next friend, GEORGE ALFORD,	)	
	)	
Plaintiff,	)	
v.	)	CASE NO. 3:08-cv-19-WKW
	)	
BEVERLY HEALTHCARE SERVICES	)	
d/b/a BEVERLY ENTERPRISES-	)	
ALABAMA, INC.,	)	
	)	
	)	
Defendant.	)	

**ORDER**

This case is before the court on defendant's Second Motion to Compel Arbitration (Doc. # 9), in which the defendant represents to the court that the parties have agreed to resolve the matter through binding arbitration. For good cause show, it is ORDERED that:

1. Defendant's Second Motion to Compel Arbitration (Doc. # 9) is GRANTED;
2. The parties shall proceed to arbitration;
3. Defendant's Motion to Compel Arbitration and Stay Proceedings (Doc. # 2) is DENIED as moot;
4. Each party shall respond in writing **on or before May 8, 2008** as to whether this case should be stayed pending arbitration or dismissed without prejudice.

DONE this 24th day of April, 2008.

/s/ W. Keith Watkins  
UNITED STATES DISTRICT JUDGE